



238327



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF ENVIRONMENTAL QUALITY
JOHN FITCH PLAZA, CN027, TRENTON, N.J. 08625

(In the Matter of the)
(Combe Fill Corporation, Inc.)
(Solid Waste Disposal Facility)
(Morris County, New Jersey)
(Facility No. 1407A)

ORDER
MODIFYING
REGISTRATION

The following Order Modifying Registration is issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (hereinafter, "the Department") and duly delegated to the Director, Division of Environmental Quality pursuant to his authority under the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.

FINDINGS

1. The Combe Fill Corporation, Inc. (hereinafter, "the Corporation") operates a solid waste disposal facility at the above-captioned location pursuant to authority of a Certificate of Registration for a solid waste disposal and/or processing facility approving an engineering design prepared by Elam & Popoff, Engineering Associates. Said Certificate, dated December 12, 1972, was issued to Chester Hills, Inc., predecessor in interest to Combe Fill Corporation.

2. Operation of the facility has resulted in the placing of unauthorized solid waste in contact with the surface and ground waters and has resulted in the unauthorized degradation of the surface and ground waters of the State due to solid waste or the leachate produced as a result of landfilling activities.

3. The Department of Environmental Protection has determined that continued operation of the above facility in accordance with its approved registration would not meet the standards, criteria, and/or regulations established pursuant to the Solid Waste Management Act, N.J.S.A. 15:1E-1 et seq., and its implementing regulations, N.J.A.C. 7:26-1.1 et seq.:

- a. The Department has determined that further disposal of solid waste at the facility pursuant to the said engineering design, would result in the placing of unauthorized solid waste in contact with the surface or groundwaters of the State in violation of N.J.A.C. 7:26-2.5(d) and would result in the continued unauthorized degradation of the surface and groundwaters of the State due to solid waste or the leachate produced as a result of landfilling activities.
- b. The Department has determined that the further disposal of solid waste at the facility pursuant to said engineering design would be an operation in violation of N.J.A.C. 7:26-2.2(d).

4. Pursuant to N.J.S.A. 13:1E-5, the Department is authorized and empowered to require an amendment to an approved registration when, in its opinion, continued operation of a solid waste facility in accordance with such a registration would not meet the standards, criteria or regulations of the Solid Waste Management Act or its implementing regulations.

5. The geologic characteristics of the area in which the facility is located are not conducive to environmentally sound sanitary landfill engineering and make it difficult to implement effective monitoring systems.

NOW, THEREFORE, it is hereby ORDERED that COMBE FILL CORPORATION, INC. its principals, agents, employees, successors and assigns shall:

1. Within sixty (60) days of the date of this Order, submit to the Department revisions to its approved engineering design which provide for the cessation of all solid waste disposal at the above facility upon filling in accordance with its approved engineering drawing, the areas delineated by the Department on the copy of a portion of the Elam & Popoff engineering design annexed hereto as Exhibit A. Said revisions to the approved engineering design providing for the cessation of solid waste disposal shall include a plan for closure of the facility in an environmentally sound manner, including at a minimum, the following:
 - a. Capping of the facility with an impermeable liner;
 - b. Construction of a minimum of four (4) additional groundwater monitoring wells at locations and specifications satisfactory to the Department.
 - c. A program for semi-annual sampling of all monitoring wells as well as the private wells listed in Exhibit

- "B" and all streams that drain the site, with testing to include all parameters set forth in Exhibit "B";
- d. A methane gas venting system;
 - e. Reactivation and improvement of the existing leachate interception system, as well as construction of a similar system in other areas of the facility, including the area of the West Branch of Trout Brook;
 - f. Performance bonding or other financial guarantee satisfactory to the Department to ensure implementation of the closure plan.
 - g. A schedule for implementation of any provisions included in said plan for closure, including items (a) through (f) above, which lists key dates for their achievement.
2. Cease acceptance of all waste at the above facility upon filling the areas and elevations shown in the areas delineated by the Department on the copy of a portion of the Elam & Popoff engineering designed annexed hereto as Exhibit A, and referenced in (1) above.
 3. Ensure that the revised engineering design submitted pursuant to paragraph (1) complies with the requirements of the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq., and its implementing regulations, N.J.A.C. 7:26-1.1 et seq.
 4. Ensure that the revised engineering drawing submitted pursuant to paragraph (1) complies with all other requirements of State and Federal law, including but not limited to the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. and the Federal Water Pollution Control Act Amendments of 1972 as amended by the Clean Water Act, 33 U.S.C. 1251 et seq.,

Combe Fill Corporation, Inc. is HEREBY NOTIFIED pursuant to N.J.S.A. 13:1E-9, that any person who engages in the disposal of solid waste in violation of a Departmental Order shall be liable to a maximum penalty of \$25,000 per day for each violation.

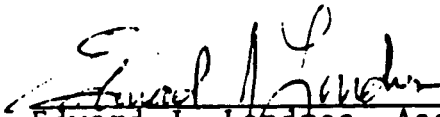
Under the provisions of N.J.S.A. 52:14B-1 et seq., the Combe Fill Corporation, Inc. is entitled to a hearing in the aforementioned matter, and the New Jersey Department of Environmental Protection will provide such a hearing upon written request received no later than fifteen (15) days from receipt of this notice. Said request shall specify (a) wherein the Department's action aggrieves "the Corporation", (b) which findings of fact are challenged; and (c) which conclusions of law (including those not articulated) are challenged. Time and place of the hearing will be designated by the Office of Administrative Law. Application for an administrative hearing shall be made to:

Edward J. Londres
Assistant Director
Division of Environmental Quality
New Jersey Department of
Environmental Protection
CN-027
Trenton, New Jersey 08625

A hearing request shall not stay the provisions of this Order.

This Order supplements and is in addition to the Order Modifying Registration dated March 19, 1981 which has been previously issued to Combe Fill Corporation, Inc.

DATED September 8, 1981


Edward J. Londres, Assistant Director
Division of Environmental Quality
Enforcement Branch

GARAGE

890

880

870

← APPROXIMATE
LIMIT OF FILL

860

850

840

WE.
503.5

830

WETLAND
AREA

820

839.0

860

850

840

830

820

810

30' RCP

N. J. P. & L. CO. EASEMENT

830

EXHIBIT "B"

Private Wells to be Monitored

<u>OWNER</u>	<u>LOCATION</u>
Price	School House Lane
Ram	School House Lane
McGlaughlin Pool Company	Parker Road
Baltychi	Valley Brook Road
Tingue	Parker Road
Perry	School House Lane

Parameters for Testing

Volatile organic chemicals

Heavy Metals

Lead

Mercury

Arsenic

Cyanide

All Parameters set forth at N.J.A.C. 7:26-2.5(v)